

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

<p>KALIE JONES-HULSE, et al.,</p> <p style="text-align: center;">Plaintiffs,</p> <p>v.</p> <p>AVER HEALTH, et al.,</p> <p style="text-align: center;">Defendants.</p>	<p><b>ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING CASE</b></p> <p>Case No. 2:24-cv-00368-TC-CMR</p> <p>Judge Tena Campbell Magistrate Judge Cecilia M. Romero</p>
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On May 28, 2024, the court granted Plaintiffs Kalie Jones-Hulse and Nicholas Hulse’s (collectively, Plaintiffs) application for leave to proceed in forma pauperis and waived the prepayment of filing fees pursuant to 28 U.S.C. § 1915. (ECF No. 6.) The Plaintiffs’ Complaint was placed on the court’s docket shortly thereafter. (ECF No. 7). On February 5, 2025, the court issued an order (Order dated February 5, 2025, ECF 12) granting the Plaintiffs leave to file an amended complaint addressing their failure to adequately plead a plausible claim. The Plaintiffs were instructed to file their amended complaint by March 4, 2025. (Id.) The court warned the Plaintiffs that failure to comply with the Order may result in dismissal of this action. (Id. at 4.)

On March 10, 2025, United States Magistrate Judge Cecilia M. Romero issued a Report & Recommendation (R&R) recommending that the court dismiss this case without prejudice because Plaintiffs failed to prosecute the action and comply with the court’s February 5, 2025 Order. (ECF No. 13.) It has been seventeen days since the R&R was issued and no objections have been filed. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b) (providing that written

objections are to be filed and served within 14 days after service of a copy of the recommended disposition).

The court has reviewed the matter and the R&R for clear error and finds that it is correct in all material respects. See Fed. R. Civ. P. 72 Advisory Comm. Notes 1983 Addition Subdivision (b) (“When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). Accordingly, the court adopts the R&R (ECF No. 13) in its entirety.

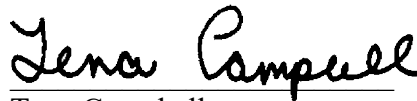
### **ORDER**

For the foregoing reasons, the court ORDERS as follows:

1. The court DISMISSES this action without prejudice.

DATED this 27th day of March, 2025.

BY THE COURT:

A handwritten signature in black ink that reads "Tena Campbell". The signature is written in a cursive, flowing style.

Tena Campbell  
United States District Judge